

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.16257 of 2012**

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1. Abhiram Sharma son of late Kameshwar Sharma, resident of village Ram Chandrapur, P.S. Piparia, District Lakhisarai
2. Uma Shankar Sharma son of late Brahmdeo Singh, resident of village Ramnagar, P.S. Piparia, District Lakhisarai
3. Tuntun Prasad Singh son of Sitaram Singh, resident of village Ramchandrapur, P.S. Piparia, District Lakhisarai
4. Satish Sharma son of late Shrawan Sharma resident of village Ramchandrapur, P.S. Piparia, District Lakhisarai

.... .... Petitioners

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Department, Government of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Lakhisarai
5. District Superintendent of Education, Lakhisarai
6. Block Development Officer-cum-Executive Officer, Piparia Block, District Lakhisarai
7. Block Education Extension Officer, Piparia, District Lakhisarai
8. Pramukh, Piparia Block Panchayat Samittee, District Lakhisarai... ..

....Respondent 1<sup>st</sup> Set

9. Ramashray Yadav son of late Bhuna Yadav resident of mohalla Hanuman Nagar, Naya Bazar Lakhisarai, P.S. Lakhisarai, District Lakhisarai
10. Kumud Kumari wife of Sanjay Kumar, resident of Karya Nand Nagar West, Ward No. 9, P.O. and P.S. Lakhisarai, District Lakhisarai
11. Krishnandan Sharma son of late Kapildeo Sharma, resident of village and P.O. Ramchandrapur, P.S. Piparia, District Lakhisarai
12. Ram Nandan Sharma son of Sri Ramadhin Sharma, resident of village and P.O. Wolipur, P.S. Piparia, District Lakhisarai.... Respondent 2<sup>nd</sup> Set

.... .... Respondents

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**Appearance :**

For the Petitioners : Mr. Ram Vijay Prasad Sinha @ Sanjay, Advocate

For the Respondents: Mr. Sanjay Kumar, AC to SC 15

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**Date: 12-07-2017**

The present writ petition has been filed for setting aside the  
order as contained in Memo No. 07 dated 07.01.2012 passed by the  
District Teachers Employment Appellate Authority, Lakhisarai in Case



No.s 76/2010-11, 105 of 2010-11, 107 of 2010-11 and 112 of 2010-11.

2. At the very outset, learned counsel for the petitioners fairly states that forum by way of appeal against the impugned order is available before the State Education Tribunal which has now started functioning.

3. The writ petition accordingly is disposed of granting liberty to the petitioners to prefer an appeal before the State Education Tribunal.

4. It is made clear that this Court has not entered into the merits of the matter and any appeal filed by the petitioners may be disposed of on its own merit and in accordance with law.

5. It is also made clear that in case such an appeal is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioners while considering any issue relating to condonation of delay, if applicable.

**(Vikash Jain, J)**

B.T/Ibrar

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